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Subject: FYI - Compilation of SAB Mtg Trade Press Articles as of 8 AM

InsideEPA

Daily News

SAB Votes To Review EPA's Science, Emissions Rules In Sign Of 'Rebuke'

May 31, 2018

EPA advisers have voted to review the science underlying agency rules aimed at rolling back a suite of Obama administration's greenhouse gas and emissions regulations, as well as a controversial proposal to require that major rules be based on publicly available science, decisions that environmentalists say amount to a "sharp rebuke" of Administrator Scott Pruitt's deregulatory agenda.

At a May 31 meeting, EPA's Science Advisory Board (SAB) voted to endorse a series of recommendations from SAB workgroups urging the full board to consider the science behind pending EPA plans to scale back light-duty vehicle GHG standards, the agency's proposal to scrap production limits on high-emitting glider trucks, EPA's plan to reconsider new source performance standards for oil and gas operations, EPA's planned repeal of the Clean Power Plan, the agency's retreat from GHG requirements for new and modified power plants, and EPA's science data rule.

The planned reviews, which impose a new level of scrutiny on key prongs in the Trump administration's deregulatory agenda, mark what may be the first instance of SAB oversight of agency regulations since the practice was instituted by the Obama administration.

And they comes despite suggestions by some current advisers that SAB consider deferring on issues including the power plant rules amid promises of clearer EPA communication with the board.

And in the case of the light-duty vehicle regulations, the move turned aside suggestions that SAB might want to defer a review until EPA and the Transportation Department issue a proposal in the coming weeks.

"We can say it merits review, and then at a later date, if we decide there is not much to review, we can sunset that review instead of deferring," one SAB member said.

While the board voted to review the rules, SAB members did not rule out sunseting their review if more information becomes available that allays their concerns.

Nevertheless, the move is significant because the meeting marked SAB's first gathering since Pruitt removed a host of board members who had received agency grant funds and replaced them with state and industry officials – including a new chair, Michael Honeycutt – who were widely viewed as being more supportive of the administrator's deregulatory agenda.

As such, the board's decision is already winning praise from environmentalists. "The leadership of the board was chosen by Pruitt himself, so their decision today is a sharp rebuke of his leadership and this dangerous [science rule] proposal," Ana Unruh Cohen, managing director of government affairs at the Natural Resources Defense Council, said in a statement.

"Pruitt's decisions fly in the face of science, the law, and the desires of the American people, and he will continue to be met with resistance in the courts, in the streets, and among his own advisers," John Coequyt, Sierra Club's global climate policy director, said in a separate statement.

Such statements underscore environmentalists' broader concerns with Pruitt's deregulatory agenda and his efforts to craft science to justify it, including his selection of science advisers as well as the proposed science rule, which they fear will undercut the use of studies containing private health data that the agency has long used to justify strict air quality and other rules.

SAB Frustration

Several SAB members expressed signs of frustration on the quality of EPA communication to date on its planned rules as well as the science underlying those rules.

"We make a request to EPA for information and we get really hardly anything in return," SAB member Chris Frey of North Carolina University said at one point, echoing others present that this does not necessarily mean the science behind EPA's regulations is flawed but that SAB wants to err on the side of examining the issues.

"My general sense is in any of these recommendations for review is, if there comes a point where EPA is responsive and has identified the science products that they are going to develop or use, and has convinced the [SAB] that they have already obtained or are implementing an appropriate review process, then I think we can step out of it," Frey said.

But prior statements from the SAB workgroups recommending review – as well as statements by SAB officials at the meeting – also made clear that they harbor significant concerns.

The move to review the agency's repeal of rules on high-emitting glider trucks, for example, which combine a new chassis with used engines, comes after an SAB workgroup in its recommendations blasted the apparent science underlying the rule as "dubious."

Similarly, the workgroup that recommended review of the science data rule strongly criticized the plan, charging it will undermine rules' integrity and was developed without adequate review.

"The proposed rule does not include any assessment of the impact of data restrictions on existing or future regulatory programs. Without access to the restricted data, regulatory programs could become more or less stringent than they otherwise would be, with consequences for both regulatory costs and benefits," the workgroup said.

SAB also discussed, but ultimately decided to spurn, proposals to hold off on reviewing several of the stationary source GHG rules, despite remarks from EPA officials present downplaying the extent to which the agency will need to rely on novel science.

For example, EPA's Kevin Culligan walked the panel through EPA's view that the agency was not using novel "influential" science information that would require such review.

With respect to EPA's new power plant rule, for example, Culligan said the main issue in play in that rule is a previous determination on whether carbon capture and storage (CCS) represents the best system of emissions reduction for new coal plants – an issue that he characterized as mostly a policy decision.

"Ultimately the way we look at it is, while there is science information that goes into it, the question . . . is really a policy decision," Culligan, said, citing policy issues including the appropriateness of requiring CCS in areas of the country where it may not be viable due to lack of sequestration opportunities.

But such views failed to win over the SAB.

And the vote in support of reviewing the science rule was widely assumed to be inevitable – even by SAB chair Honeycutt.

"Does anyone think we should not review this?" he said during the discussion of the science rule. "This might be the quickest decision ever." – *Doug Obey* (dobey@iwpnews.com)

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SAB Chair Honeycutt Dodges Tough Questions On EPA Science Policies

May 31, 2018

Michael Honeycutt, the new chair of EPA's Science Advisory Board (SAB), dodged tough questions from reporters on EPA's "secret science" policy, review of major EPA rulemakings and related issues at the first panel meeting since his appointment, but he reaffirmed his skepticism of the Obama administration's decision to tighten the ozone ambient air standard.

Speaking to reporters on the sidelines of the May 31 meeting in Washington, D.C., Honeycutt -- appointed by EPA Administrator Scott Pruitt to head the independent committee -- faced pointed questions over his views on several controversial policy issues, but largely demurred with his answers.

Honeycutt is toxicology director at the Texas Commission on Environmental Quality (TCEQ), the state's environmental regulator, and is known for his doubts over Obama-era air quality regulations and the science underpinning them.

Reporters asked Honeycutt, for example, if SAB should be consulted on Pruitt's proposed science policy that precludes the agency from relying on studies to set regulations when the underlying data are not publicly available. Democratic lawmakers and others say EPA should have consulted various science advisors at the outset, and fear the policy will be used to bar use of science that could otherwise help justify stricter regulations.

SAB work groups have also called for the full panel to review several key rulemakings through which the Trump administration is aiming to undo Obama-era rules on greenhouse gases emissions from power plants, the oil and gas sector, and trucks and cars.

"It is not for me to say right now" whether SAB should review the science policy, Honeycutt told reporters, noting that the issue was still under discussion by the panel. "We have guidelines for what constitutes significant science" worthy of review. "We follow process."

While he declined to answer questions, he later voted to approve workgroup recommendation that the full SAB review the proposed science rule, as well as the various GHG measures.

Asked about another Pruitt policy that prohibits scientists serving on SAB and other advisory panels from receiving EPA funds, but allows those funded by industry to serve, Honeycutt said, "that is not for me to speak to. That is really not my call."

On his views regarding fine particulate matter (PM2.5) pollution's health impacts, he said, "it depends on who you talk to." There are some studies that show associations with health effects, and those that don't, he said. "You have to look at data as a whole. You don't necessarily look at individual studies by themselves."

He denied having claimed that PM2.5 could under some circumstances be beneficial to health. "I haven't said that," he said.

PM2.5 is widely regarded as the most harmful air pollutant in terms of damage to public health, and reductions in PM2.5 drive much of the estimated benefits of many EPA air rules. EPA has stated its goal to complete review of the 2010 Obama PM2.5 standard of 12 micrograms per cubic meter by 2020 -- but that process has only just begun.

'Different Viewpoints'

Asked about Pruitt's prior criticisms that there is a cultural problem at EPA, with too little representation of industry viewpoints and Midwestern or Southern states, Honeycutt demurred. "There are a lot of different viewpoints in science," he said. "We are here to give advice to the administrator."

But on one issue, Honeycutt was clear. He has long criticized EPA's ozone national ambient air quality standard (NAAQS) of 70 parts per billion (ppb) as too tough. EPA tightened the standard in 2015 down from the 75 ppb limit set in 2008 by the George W. Bush EPA. "I think lowering the standard from 75 ppb to 70 ppb won't get you much" in terms of health benefits, he said. "We think 75 ppb is still protective."

This view contrasts with that of EPA's top air experts on the Clean Air Scientific Advisory Committee (CASAC), which advises EPA on how to set the NAAQS. CASAC twice unanimously recommended that EPA set the ozone standard at a level between 60 ppb and 70 ppb. EPA has committed itself to completing a review of the ozone standard in 2020, and is still weighing a reconsideration of the standard. -- *Stuart Parker* (sparker@iwpnews.com)

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EPA

Advisory board to review Pruitt's science overhaul

Scott Waldman, E&E News reporter

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EPA's Science Advisory Board is ideologically divided over many science-based decisions made by the agency in the last year, but you might not know it from the board's first meeting after it was significantly reworked by Administrator Scott Pruitt.

At its first meeting after an eight-month hiatus, the SAB had a cordial first dive into policies that would have dramatic effects on vehicle emissions, the science used in regulations and the ability of super-polluting trucks to evade clean air rules.

There were no fireworks at the public meeting, which was mostly attended by journalists, advocacy groups and EPA employees.

However, at the end of the five-hour meeting in a room with little air conditioning on a muggy day in Washington, D.C., board members did disagree, very politely, over whether to defer some regulatory reviews and about the merits of a proposed rule to limit the science used by the agency to craft regulations.

The latter issue, which the group voted to review, has received extensive blowback, including 120,000 public comments in just a month, according to EPA.

"There is a real lack of clarity in how you would unroll this and actually apply it," said Alison Cullen, a professor at the University of Washington and a member of the board.

Stanley Young, a statistician and frequent critic of well-established air pollution studies that have been extensively peer-reviewed and replicated, said he supports the science rule. He suggested air pollution researchers behind groundbreaking studies may be guilty of misconduct.

"This is a sticky issue. It's been well-discussed in the literature, and there are examples where, I would say, mischief has been done," Young said at the meeting.

In the end, the board agree to move forward with its review of the science on a number of EPA actions, including those related to greenhouse gas emissions and science transparency.

Despite the somnolent tone to the proceedings, the Science Advisory Board has experienced a sea change since it last met in person. Gone are a number of academic researchers, leaders in their fields of expertise. Their replacements include researchers allied with and funded by industry, whose work is used to fight against public health regulations. Some are longtime critics of EPA.

At yesterday's meeting at the Washington Plaza Hotel in D.C., 17 new members were at the table, which had a decidedly stronger industry presence.

At the head was the new chairman of the SAB, Michael Honeycutt, who previously served as head toxicologist for the Texas Commission of Environmental Quality and who has said there is evidence that air pollution "makes you live longer."

Among the others at the table were the statistician Young, who has produced work funded by the American Petroleum Institute that says EPA's air regulations are based on faulty science; Kimberly White of the industry group American Chemistry Council; and Robert Phalen, who heads the Air Pollution Health Effects Laboratory at the University of California, Irvine, and has said "modern air is a little too clean for optimum health."

During a discussion of air pollution regulations, industry-affiliated researchers expressed concern about EPA actions. White expressed concern over an "overestimation of risk" at the agency.

Don van der Vaart, a Pruitt appointee who questions mainstream climate science and is the former secretary of the North Carolina Department of Environmental Quality, questioned air emissions data, saying, "Emissions data is always wrong; the question is, how wrong, and can you do anything about it?"

Young asked whether companies subject to more stringent pollution regulations would have the ability to dispute them and said the review of some research would depend on one's perspective about whether carbon dioxide and air pollution are bad.

In September, the SAB requested that Pruitt join its meeting. He was not in attendance.

About two dozen people spoke during the meeting's public comment period, almost all in opposition to the science overhaul plan and the proposed rollback of vehicle fuel efficiency standards.

"The core science/policy problem with EPA's proposal is that it elevates what it calls 'transparency' above all other attributes of a published study as a criterion for assessing its value," said John Bachmann, a former EPA official who worked in the agency's air office in North Carolina. He is not a member of the board. "Thus, a study that has been replicated many times may be excluded from consideration, while one that uses an inferior database that is publicly available would be considered."

One theme that fired up some board members was their complaint that they're not getting enough scientific information from EPA to back up its decisions.

Christopher Frey, an engineering professor at North Carolina State University, said an SAB working group asked the agency for more information but was rebuffed. He said the board should send a "nastygram" to the agency, because it has typically been deficient in providing information for review, not just during Pruitt's tenure but stretching back into the Obama administration, as well.

"We make a request to EPA for information, and we get hardly anything in return," he said.

Jeanne VanBriesen, director of the Center for Water Quality in Urban Environmental Systems at Carnegie Mellon University, said the board's work has been significantly affected by the lack of response from the agency. She said reviewing the science behind the rulemaking would "light a fire" under EPA officials and that deferring would unnecessarily delay actions for months.

"We mean something when we defer," she said. "We mean there isn't information to have been reviewed. There is information to be reviewed here; we were not provided it, that's a very different case."

Bloomberg Environment

News

Climate Rollbacks, Science Rule to Get EPA Science Advisers Review

Posted May 31, 2018, 7:38 PM

By [Abbey Smith](#)

- Science Advisory Board votes nearly unanimously to review EPA revisions to five Obama-era climate rules
- Panel also will scrutinize EPA efforts to restrict agency science

EPA Administrator Scott Pruitt's plans to revise five Obama-era climate regulations—and his efforts to limit the types of science the agency can use—will get the scrutiny of the agency's science advisers, the full panel voted May 31.

The Science Advisory Board, which counsels the Environmental Protection Agency on the science it uses, will move forward with vetting the scientific and technical analysis underpinning the EPA's plans to rewrite several greenhouse gas regulations.

Those include: the agency's review of the Obama administration's carbon limits for new and existing power plants, its reconsideration of methane limits for new oil and gas wells, its plans to rewrite fuel economy standards for passenger cars, and its proposal to eliminate emissions limits for so-called glider trucks.

The panel also voted to take up a review of the EPA's proposal barring the use of scientific research including data that isn't or can't be made public.

The Science Advisory Board voted nearly unanimously that all six proposals merit further review.

It is a crucial step in the process, but the reviews may not all follow the same steps, Thomas Brennan, acting director of the

Science Advisory Board staff office, told reporters on the sidelines of the May 31 meeting.

A work group of several panel members recommended review of the regulations, citing potential technical flaws and gaps in the scientific basis.

Seeking Better Response From Staff

The science advisers will now engage further with EPA staff. Several Science Advisory Board members argued that they didn't receive enough information from the agency about the planned regulations upfront.

"We make a request for information, and we haven't gotten much in return," said Chris Frey, an engineering professor at North Carolina State University and a member of the work group that recommended the rules for review. He and other members of the advisory board stressed the need for better response from EPA staff.

Michael Honeycutt, chairman of the board and toxicology director at the Texas Commission on Environmental Quality, offered at one point to speak with EPA air chief Bill Wehrum to urge him to make staff available to discuss the agency's regulatory rollbacks with the science advisers.

Brennan told reporters that the science panel's reviews are likely to run at different paces. The panel could decide to combine reviews of regulations that deal with the same issues, he added.

For example, several members of the board suggested combining review of the EPA's plans to repeal carbon limits for existing power plants, known as the Clean Power Plan, with efforts to rewrite the companion limits for new power plants.

Advocates Urge Rigor

Nearly two-dozen environmental advocates and scientists urged the science advisers to take up the reviews, sharply criticizing the lack of scientific and technical basis for the EPA's determination to revise Obama-era fuel economy standards and its plans to repeal emissions limits on glider trucks.

Advocates also urged the Science Advisory Board to rigorously examine the EPA's science transparency proposal.

The board needs to "ensure EPA follows the law and uses the best available scientific information as it makes regulatory decisions that will affect the health and welfare of all Americans," David McCabe, a scientist with the Clean Air Task Force, told the panel.

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